

JENNIFER KELLY (CSB No. 193416)  
jennifer@tyzlaw.com  
RYAN TYZ (CSB No. 234895)  
ryan@tyzlaw.com  
ERIN JONES (CSB No. 252947)  
ejones@tyzlaw.com  
CIARA MCHALE (CSB No. 293308)  
ciara@tyzlaw.com  
SEAN APPLE (CSB No. 305692)  
sapple@tyzlaw.com  
TYZ LAW GROUP PC  
4 Embarcadero Center, 14th Floor  
San Francisco, CA 94111  
Telephone: 415.849.3578

Attorneys for Defendant  
Supercell Oy

**UNITED STATES DISTRICT COURT**  
**NORTHERN DISTRICT OF CALIFORNIA**  
**SAN FRANCISCO DIVISION**

**IN RE GOOGLE PLAY STORE  
ANTITRUST LITIGATION**

THIS DOCUMENT RELATES TO:

*Epic Games, Inc. v. Google LLC et al.*, Case  
No. 3:20-cv-05671-JD

Case No: 3:21-md-02981-JD

**DECLARATION OF CIARA McHALE  
RE SUPERCCELL OY'S REQUEST TO  
SEAL PORTION OF TRIAL EXHIBIT  
5674, P. 17**

Judge: Hon. James Donato

1 I, Ciara McHale, hereby declare as follows:

2 1. I am an attorney at law licensed to practice in the State of California and the  
3 Northern District of California. I am an attorney at the law firm of Tyz Law Group PC, attorneys  
4 for Non-Party Supercell Oy in this action. I have personal knowledge of the matters set forth in  
5 this and, if called to testify as a witness, would be competent to testify as follows.

6 2. I submit this declaration in support of Supercell's Request seeking to seal the non-  
7 public, highly confidential information designated "Non-Party Highly Confidential – Outside  
8 Counsel Eyes Only" on page 17 of Trial Exhibit 5674 identified below, and seeking to prevent its  
9 presentation in open court by either closing the courtroom, or by (1) publishing such information  
10 to the jury, parties and court only, and not to the general public, and (2) not stating the information  
11 during the course of trial. As detailed in the accompanying request, there are "compelling  
12 reasons" to seal these highly confidential materials of Supercell.

13 3. My client is located in Helsinki, Finland. Supercell has repeatedly been given last-  
14 minute notice of potential disclosure of its highly confidential information in open court with no  
15 meaningful opportunity to review the notice and document in question, let alone to meaningfully  
16 respond to the notice, to confer with opposing counsel regarding treatment of the document, or to  
17 otherwise avoid burdening the Court with sealing requests to protect its highly confidential  
18 information.

19 4. In this instance, I received an email from counsel for Google on Friday, November  
20 10, at 10:30 pm local time in Chicago, Illinois (where I live) providing notice that a portion of  
21 Trial Exhibit 5674 (page 17) containing Supercell's highly confidential information designated  
22 "Non-Party Highly Confidential – Outside Information Only" might be used in open court on  
23 Monday, November 13, and requiring my client to submit any request to seal that information no  
24 later than 5 pm Pacific Saturday. At that time, it was already early morning Saturday, November  
25 11 in Helsinki. I did not see the email until the very early morning in Chicago, at which time I  
26 endeavored immediately to notify my client. However, given the weekend and the time zone  
27 differences, and as I explained to counsel for the parties, I have not had access to my client to  
28 discuss the document or its disclosure. I therefore asked that counsel for the parties agree to treat

1 the material as sealed if used in court on November 13, in a manner consistent with this request.  
2 Counsel for Google indicated it would not use the identified portion of the document in court.  
3 Counsel for Epic did not agree to treat it as highly confidential as requested, requiring submission  
4 of the instant request.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed on  
6 November 11, 2023.

7  
8 /s/Ciara McHale  
Ciara McHale